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Security Council

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Statement by the President of the Security Council

At the 4582nd meeting of the Security Council, held on 23 July 2002, in connection with the Council's consideration of the item entitled "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991", the President of the Security Council made the following statement on behalf of the Council.

"The Security Council welcomes the report on the judicial status of the International Criminal Tribunal for the Former Yugoslavia and the prospects for referring certain cases to national courts (S/2002/678) submitted by the President of the Tribunal on 10 June 2002.

"The Council recognizes, as it has done on other occasions (for example in its resolution 1329 (2000) of 30 November 2000), that the ICTY should concentrate its work on the prosecution and trial of the civilian, military and paramilitary leaders suspected of being responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991, rather than on minor actors.

"The Security Council therefore endorses the report's broad strategy for the transfer of cases involving intermediary and lower-level accused to competent national jurisdictions as likely to be in practice the best way of allowing the ICTY to achieve its current objective of completing all trial activities at first instance by 2008. The Council invites States and relevant international and regional organizations to contribute as appropriate to the strengthening of national judicial systems of the States of the former Yugoslavia in order to facilitate the implementation of this policy.

"The Security Council takes note of the recommendations of the ICTY with regard to the creation, as proposed by the High Representative to Bosnia and Herzegovina, of a specific Chamber, within the State Court of Bosnia and Herzegovina, to deal with serious violations of international humanitarian law. The Security Council is ready to look constructively and positively at this matter when more details of the proposed arrangements are available. The Council also takes note of the intention of the ICTY to amend its Rules of Procedure and Evidence in order to facilitate the referral of cases to competent national jurisdictions.

"The Security Council will remain seized of this matter."

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